

Statement of

Robert B. Rosenkranz

Vice President

DynCorp International LLC

before the

**Subcommittee on National Security, Emerging
Threats and International Relations**

Committee on Government Reform

U.S. House of Representatives

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House Subcommittee on National Security
Hearing on, "Private Security Firms:
Standards, Cooperation and Coordination,"
2:00 pm, June 13th 2006

Mr. Chairman, Distinguished Members of the Committee:

My name is Robert Rosenkranz and I am a Vice President of DynCorp International LLC, and the president of DynCorp International's International Technical Services Division. In that capacity, I am responsible for managing the Company's law enforcement services, counter-narcotics support, contingency and logistics support services, facility operations, infrastructure development and security services, including related DynCorp International operations in Iraq and Afghanistan. In addition to my experience with the private sector, I served with the U.S. Army for 34 years and retired at the rank of Major General.

DynCorp International is pleased to provide information to this Committee with respect to standards, cooperation and coordination of contractors working with the U.S. Government in battlefield environments.

Before I respond to the specific issues the Committee requested that DynCorp International address, permit me to clarify the role DynCorp International plays in Iraq and Afghanistan, because it is important to this discussion.

Providing security services is one of our areas of expertise. Indeed, we have extensive international security experience, and we believe we are among the best of the companies who provide such services anywhere in the world. However, DynCorp International, while providing comprehensive security services in battlefield environments, is also involved in many other government services.

In Iraq and Afghanistan we serve as peacekeepers, we provide advisors, we train and deploy civilian police forces after the cessation of conflict, we secure State Department personnel and assets, we provide logistics and contingency support and we assist in recovery and rebuilding efforts. In Afghanistan, we provide services to eradicate illicit narcotics crops, and we are engaged in the removal and destruction of landmines and light weapons.

We have a long history of supporting the U.S. Government in battlefield environments. We have supported every major U.S. Military campaign since Korea. We support State Department initiatives to produce stabilization and the rule of law in post-conflict societies. Ensuring basic security in society is the fundamental element in establishing an environment where conflict is minimized and trust and confidence are restored. Providing security in high threat environments is a critically important activity in support of the successful completion of the missions of the State Department, the Defense Department and the U.S. Government.

With this understanding, I will briefly address the issues raised in the letter of invitation.

- Roles and responsibilities of DynCorp International in security work are largely mandated by specific contract requirements. Generally, those responsibilities are dictated by the individual customer with whom we are doing business. In all cases, the security we provide is fundamentally protective or defensive in nature.
- The international legal controls that govern private security services are varied and fact dependent. DynCorp International engages its corporate legal resources and human resource managers to clearly identify applicable regulations, and maintains compliance with these requirements throughout the life of the contract.
- U.S. regulations and statutes are generally included as contract clause requirements, but may also be promulgated by U.S. Military Commanders and the designated Chief of Mission in the area of operation. Due to the nature of the security business, these are generally related to use of force issues and standards of conduct.

- In addition to U.S. and International regulations and statutes, DynCorp International adheres to strict performance standards to qualify security personnel, and imposes established Professional Standards of Conduct which govern employees in all assignments.
- As a result of DynCorp International's involvement in law enforcement and other security related services since 1994, we have a mature vetting procedure for evaluating and selecting candidates for the provision of security services. Our process includes extensive investigations, medical screening, psychological assessments, and a variety of other screens described in detail in our formal submission.
- As with our vetting procedures, we have the benefit of 12 years of active experience developing and refining our training procedures for security assignments. Programs of instruction and course curricula are designed and developed to apply to the specific field assignment, taking into consideration the prevailing security/threat environment.
- Our experience with the U.S. Military, Department of State, and USAID organizations has been very productive. Almost without exception, coordination has been open and effective. Despite the struggles we all face with respect to start-up activities, we have developed effective working relationships with government counterparts that produce favorable results and a truly collaborative work environment.

Providing security services in any environment presents a degree of risk to the individual employee and employer. These risks increase dramatically in battlefield areas like Iraq and Afghanistan. As indicated in our submission, DynCorp International has lost over two-dozen employees to hostile activity in the fight for freedom in Iraq and Afghanistan. Each death on the battlefield represents a loss to family, friends, and society. Private contractors provide the Federal Government, and other agencies and organizations, a critically important service that may otherwise not be available in support of reconstruction, stability, and the establishment of the rule of law. We are confident that continued partnership between the U.S. Government and private companies will further

refine the expertise and infrastructure that permit us to effectively operate as a team in this environment. As these relationships evolve and mature, greater success and enhanced capacity to respond to critical requirements on current and future battlefields will be the result.

Thank you, Mr. Chairman, and my appreciation to each member of the committee, for providing us the opportunity to share our experiences and participate in this important process.

Written Testimony of
DynCorp International LLC
in Response to Issues Raised by the
Subcommittee on National Security, Emerging
Threats and International Relations
Committee on Government Reform
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WHAT ARE THE ROLES AND MISSIONS OF PRIVATE SECURITY FIRMS IN THE BATTLEFIELD?

1. Contracts in Support of the Military

We have a long history of supporting the U.S. Government in battlefield environments. In 1951, DynCorp International's predecessor, then known as Land-Air, Inc., was awarded the first Contract Field Team (CFT) contract by the U. S. Air Force. The CFT concept was to provide a rapid response, mobile workforce of highly skilled aircraft technicians to provide maintenance support to the U. S. Air Force at remote locations. We have held the Contract Field Teams contract continuously since then and currently maintain rotary and fixed-wing aircraft for all branches of the U.S. Armed Forces throughout the world.

In addition to the CFT contract, we currently have two significant worldwide contracts in support of the military under which our personnel have been periodically stationed in Iraq and Afghanistan, the Army C-12 Program and the Air Force War Reserve Material (WRM) contract. The WRM program has as part of its mission a comprehensive approach to asset protection that includes active and passive methods of prevention, detection, and deterrence.

We have supported every major U.S. military campaign since Korea. We provided aviation support to the Army in Vietnam from 1964 – 1971 and aviation maintenance services and logistics support to the Army and U. S. Marines during Desert Shield/Desert Storm from August 1990 to December 1991.

In March 2003, we supported combat operations in Iraq under the WRM contract by establishing a reception center for war reserve materiel in the Middle East to support the onward movement of military forces. Maintenance of U.S. Army aircraft was provided by the CFT and C-12 contracts as the Army conducted deployment and combat operations.

We have operated in Iraq since Coalition Forces declared an official end to major combat, providing services that include program management, logistics, communications, and security. While in country, our personnel supporting these three programs live with their military customers and are afforded security by the military.

2. Contracts in Support of the State Department

DynCorp International has extensive experience in planning, mobilizing, and starting up programs in austere and high-threat environments in support of the Department of State. Since 1994, our management team has supported the Department of State's foreign policy initiatives by deploying civilian police forces to post-conflict societies. Our law enforcement programs began in Haiti and expanded to Bosnia-Herzegovina, Croatia, Kosovo, East Timor, Macedonia, Serbia, Liberia, Afghanistan, and Iraq.

The principal purpose of these programs and our mission has been to produce stabilization and the rule of law in post-conflict societies where ensuring basic security in society is the fundamental element in establishing an environment where conflict is minimized and trust and confidence are restored.

In May 2003 under the Department of State Advisory Support Mission (DASM) contract, DynCorp International deployed, supported, and equipped U.S. law enforcement personnel to provide police presence, enhance public security, and assist in re-establishing the Iraq National Police by providing necessary training to local national police in Iraq. On 15 July 2004, functions being performed in Iraq under the DSAM contract were shifted to a newly awarded DoS contract, CIVPOL and our current efforts are under that contract.

In early 2003, we began supporting combat operations in Iraq, and we have been operating there since the cessation of major combat was declared. We provide support services, including security, primarily pursuant to State Department contracts. We also secure our internal operations in Iraq and Afghanistan.

Our security services cover a broad spectrum (deterrence, detection, denial, and defeat) and can best be described as passive (protective and defensive) measures in an overt program. Our primary objective is to protect the asset, not destroy the threat. With the continuing escalation of violence against our personnel, DynCorp International is continuing to improve the security measures in and around our areas of responsibilities and take every measure to ensure the personal safety of each and every person we are tasked to support.

WHAT INTERNATIONAL LEGAL CONTROLS ARE IN PLACE FOR PRIVATE SECURITY FIRMS?

Prior to deployment to a new field of operations, DI will research the laws of the country and the treaties between the host nation and the U.S. Government to ascertain our legal obligations and the applicable laws and regulations that will govern our activities. We register to do business and research labor laws to ensure compliance with those requirements when and where applicable. Adherence to U.S. and international laws and treaties is fact dependent. Each contract with the U.S. Government is carefully reviewed and analyzed to clearly identify the laws, regulations, and statutes that will apply to our business activities in order to design our operations in accordance and compliance with all applicable legal requirements.

In Iraq, we followed the CPA Rules and the Rules of Engagement (ROE), later changed to Rules on Use of Force (RUF) promulgated by the U.S. military and/or the Chief of Mission in Baghdad as applicable. We maintained a defensive posture in all areas of operations. In Afghanistan, we apply the same level of adherence to local laws, Chief of Mission policies, and ISAF regulations where applicable.

Other international conventions that may be applicable to contractors in Iraq and Afghanistan are provided on the attached list.

WHAT UNITED STATES STATUTES, REGULATIONS OR POLICY DIRECTIVES APPLY TO PRIVATE SECURITY FIRMS?

We have attached a list of a number of statutes, regulations, and policy directives we identified that may apply to DynCorp International and other U.S. contractors working in a battlefield environment. The applicability of the items on the list is dependent upon the circumstances at the time.

Over the course of our performance in Iraq, the security situation changed in terms of terrorist tactics and the targets they selected. Initially, the terrorists primarily targeted U.S. military and other Coalition forces using IED, RPG, Mortar, and SAF attacks; attacks were most often not sustained or organized/coordinated. It was easier during that period to move about the theater in civilian vehicles rather than in military convoys. Later, a transition occurred and the terrorists began targeting softer targets including employees of contractors, their vehicles, and contractor facilities (quarters and work place).

DynCorp International prepared a security analysis and presented the State Department with a plan to secure personnel and facilities. We recommended that weapons be procured and the State Department approved the purchase of Bushmaster M-4 automatic rifles for personal safety of all personnel. Additional security personnel and explosive-detecting K-9 dog teams were also approved for the protection of personnel on the program.

We followed the U.S. export control laws and regulations as we were required to do. Export Licenses for the M-4 rifles proved to be a slow and complicated process. As a result, we had to U.S. non-U.S. sources for initial requirements on occasion.

As with international regulations, DynCorp International will conduct research of U.S. laws, regulations, and treaties that are applicable to the specific operating environment, and/or specified in Government contracts. Depending on the nature of the contract relationship, our personnel may be governed by Department of Defense regulations applicable to non-military personnel, local, or international governmental authority as was the case with ORHA and the CPA in Iraq, Chief of Mission policy, or other U.S., international, and local rules and regulations. At present, we adhere to Chief of Mission policies in Iraq and Afghanistan, existing local laws, and applicable international regulations.

WHAT TYPES OF ESTABLISHED STANDARDS ARE IN PLACE FOR PRIVATE SECURITY FIRMS?

DynCorp International has its own set of established standards, a core set of values that we expect our employees to follow. We require our employees to act as representatives of the U.S. when working outside of the country. We restrict where employees can go during their off hours to avoid the appearance of inappropriate activities and we require our employees to report illegal activities and inappropriate behavior. Our written policy states: "It is the responsibility of all employees to be vigilant regarding corporate operations, and to report any circumstances which are potential violations of the standards described in this booklet immediately."

If the employee cannot report a problem through supervisory channels, the employee is encouraged to call or email our Hotline. The Hotline is accessible 24 hours a day, 7 days a week. In addition, annually, we send every employee a questionnaire that requires them to report illegal activity and violations of the Company's Code of Conduct and Standards of Conduct.

HOW DO PRIVATE SECURITY FIRMS VET THEIR EMPLOYEES?

All applicants are considered on the basis of individual merit and afforded an equal opportunity for employment with DynCorp International (DI). We review each application for completeness, job history, technical training and skills, certifications and licenses, past experience, and medical history. During this initial review, we inform each candidate of the screening and vetting processes, which vary according to contract requirements and may include a pre-employment drug test, medical and dental exams, psychological assessment, criminal records and credit check, and background investigation.

DynCorp International (DI) utilizes experienced screeners to review all incoming résumés and determine if the applicant's work experience meets the minimum qualifications for the position. Each applicant whose résumé passes this initial screen receives an Abbreviated Hiring Packet (AHP). Once the applicant receives the AHP, the applicant must sign and return the consent forms for the credit/criminal history check and employer interviews. Depending on the position, the candidate may be required to take an online psyche test which is normally required for personnel that will be required to be armed while performing their duties. No background investigation will begin until the preliminary consent forms are returned to the recruiting unit.

Background Investigation

The background investigation process begins with the submission of the criminal records and credit check request. This review of criminal and financial records using nationwide databases ascertains the candidate's financial stability and criminal history. This check reflects the current status or disposition of any misdemeanor or felony case associated with the individual in question within the last seven years. A social security number search produces a report of aliases and documented jurisdictions associated with the applicant. A credit history report includes an electronic verification of the applicant's current credit file information. The report indicates the number of trade

account ratings and public record information, including civil court judgments or liens and collection information. When the report is returned to DynCorp International, a trained recruiter reviews the information and determines if the applicant's criminal and credit history is acceptable based on established minimum criteria, if there are any pending issues that can be resolved, or if the report precludes further consideration.

If there are pending issues that can be resolved, the candidate is notified and advised of the procedures to seek resolution. The following criteria will cause a candidate to be disqualified:

- ◆ Criminal convictions for any felony by jury or a judge. It also includes a plea of guilty or no contest.
- ◆ Misdemeanor convictions which demonstrate a pattern of alcohol or drug abuse, crimes of moral turpitude, or sexual harassment. Other misdemeanors will be judged on a case-by-case basis.
- ◆ A bankruptcy that has not been discharged by a court within five years of its filing.
- ◆ Indebtedness that is not being paid off (classified on their report as bad debts).
- ◆ Tax liens and court judgments that have not been paid or satisfied.

Negative indicators, such as excessive debt, open litigation in civil or criminal court, or other reports of past criminal history are all indicators that may contribute to a decision to disqualify the candidate. Information about the candidate's integrity, honesty, resourcefulness, attitude, willingness to accept added responsibilities, and general demeanor provide DynCorp International with an in-depth view of the candidate's suitability for the demanding and unique environment of international policing missions.

For those programs requiring a detailed background check, DynCorp International actively recruits candidates that would best meet the solicitation criteria. After the initial screening, applicants are divided into three general categories: new applicants, rehires, and foreign nationals. A corresponding investigation is then conducted. DynCorp International investigators perform telephone interviews with the references indicated in

the applicant's new hire documentation and collect information from current and former employers. The particular investigation requirements for each category are described below:

New Applicants—Interviews are conducted and documentation is provided for each new applicant as follows:

- ◆ Initial applicant interview.
- ◆ Interviews with family and/or close relatives (such as spouse, significant other, parents, siblings).
- ◆ Interviews with personal references.
- ◆ Supervisor interviews.
- ◆ Co-worker interviews.
- ◆ For law enforcement candidates, Internal Affairs Reports from each law enforcement agency worked within the past ten years, weapons qualification records (most recent or within one year prior to the application date), performance evaluations, and documentation from the Police Officer Standards and Training (POST) office, or the agency that certifies the applicant's training records, are also included.

Rehires—Investigators will conduct the following checks for the time period from the end of the previous contract to the present.

- ◆ Re-hire interview.
- ◆ References from family, friends and close relatives.
- ◆ If law enforcement, obtain Internal Affairs Reports and supervisor interview.
- ◆ Exit interview eligibility recommendation from the DynCorp International Site Manager.

Foreign Nationals—The DynCorp International Recruiting Manager solicits résumés from third party recruiting agencies worldwide.

- ◆ Third party recruiting agencies provide résumés of interested candidates which are screened for minimum requirements.

- ◆ Potential candidates undergo an MK Data Denial check to identify any persons that may have participated in human rights or international law violations, or engaged in acts of terrorism.
- ◆ A pass/fail online Mission Compatibility Assessment is given to each applicant.
- ◆ All remaining candidates are given a New Hire Packet and must have a medical exam.
- ◆ Each candidate must provide a criminal history report from their local law enforcement agency.

Security Clearances

For those positions requiring a security clearance, DynCorp International will assist potential candidates with obtaining the required clearance. The candidate must provide fingerprinting cards, a current passport, a copy of DD-214 if prior military, and an IRR letter if current reservist. Once the passport is verified as valid and a Security Clearance Request Form is filled out and signed by the Recruiting Manager, the DynCorp International Security Department begins clearance processing.

Civilian Police (CIVPOL) Candidates

Upon completion of the initial screening and background investigation process, all CIVPOL candidates undergo a 10-day Police Assessment, Selection and Training (PAST) which includes orientation, evaluation, and rigorous fitness and agility testing at the Crucible Learning Center in Fredericksburg, Virginia. The 10-day PAST class completes the CIVPOL candidate's application process and certifies the candidate as capable of deploying and performing on an International Police Mission.

PAST Orientation/Evaluation consists of processing personnel for deployment and includes in-country briefings, medical evaluations, oral psychological assessments, management interviews, physical fitness and agility testing, firearms qualification, and other required training on the following topics:

- ◆ Professional and Ethical Standards of Conduct.
- ◆ Human Resource Policies.
- ◆ CIVPOL Program organization, leadership authority and relationships.
- ◆ Policies and procedures relative to the CIVPOL Program; Foreign National Police, Justice, and Prisons Programs; and Coalition Forces.
- ◆ Disciplinary Procedures.

PAST Testing is validated by a thorough job task analysis that is appropriate to mission requirements and all applicable Department of State standards. Testing includes the specific evaluation of a candidate's:

- ◆ Endurance or aerobic capacity
- ◆ Strength and power
- ◆ Flexibility
- ◆ Agility and reaction time
- ◆ Overall health (blood pressure and lung function)
- ◆ Psychological stability
- ◆ Firearms proficiency
- ◆ Capacity to work in a team environment

All personnel are qualified, tested, and trained on the various weapons applicable to a CIVPOL mission. This includes qualification on the Berretta 9-mm pistol, M-4, and a familiarization course involving the AK-47.

All employment contracts are contingent on the employee's proven ability to meet the established physical and mental health requirements to perform his or her obligations in an overseas mission. Candidates recruited by DynCorp International for service in Iraq must proceed to the CONUS Replacement Center (CRC) at Fort Bliss, Texas, and meet Department of Defense requirements in order to be deployable. DynCorp International's experience has resulted in a 99 percent pass rate for all candidates trained at the CRC.

The leadership team at DynCorp International is very sensitive to the mission goals of the U.S. Government in its effort to export democracy to emerging nations. The recruiting, screening, vetting, hiring, and deployment of the most qualified candidates for international missions is our highest priority. We view our candidates as ambassadors of a democratic society and understand their importance as representatives of DynCorp International and as citizens of the United States of America.

WHAT TYPE OF TRAINING DO PRIVATE SECURITY FIRMS PROVIDE THEIR EMPLOYEES?

DynCorp International's management team has partnered with the U.S. Government providing law enforcement and security personnel for overseas assignments since 1994. As a result of conducting operations in a variety of high-threat environments, DynCorp International has developed comprehensive programs of instruction for law enforcement and security related training adapted to the particular area of operation and nature of assignment.

Our law enforcement training program incorporates industry-standard training methodologies and course curriculum, with an adaptation to the specific overseas mission environment and mandate. DynCorp International's program of instruction includes course curriculum certified by the Department of State's International Narcotics and Law Enforcement Bureau. Lesson Plans have also been accepted as certified law enforcement training curriculum by multiple Peace Officer Standards and Training (POST) boards across the country.

The basic premise for all DynCorp International security training is to establish, ensure, or enhance protection for personnel and property. Our fundamental philosophy in "battlefield" or "high-threat" training is to provide employees with the skills, ability, and tools to:

- ◆ Recognize potential threats
- ◆ Take proactive action to avoid or eliminate danger

- ◆ Initiate emergency response procedures to protect life and remove ourselves and others from immediate threat of harm/attack

The training we provide for law enforcement and security employees is administered in pre-deployment and mobilization phases, and continues as recurring in-service or ongoing training in the field of operations. Our training incorporates instruction in a wide variety of subjects including, but not limited to, the following:

Security Related Training Programs

Course Subject	Training Purpose	Instructed By
Program Objectives	Information briefings are conducted to provide a clear understanding of the company's mission goals and objectives within the context of the customer's goals and objectives and contract requirements; also includes instruction on the specific mission mandate/authority, defined limits of authority, basic knowledge of local laws, and jurisdictional awareness	Customer Representatives; UN Staff; DynCorp International Managers
Cultural Awareness	Tailored to each mission area providing a background understanding of cultural considerations as they relate to and impact the discharge of individual duties, as well as interaction with the local population	Customer Representatives; University Professors
Political and Historical Perspectives	Intended to familiarize each employee with the working environment in the mission area and equip them with a basic understanding of societal issues as they relate to operational requirements	Customer Representatives; University Professors
Living in the Region	Briefings provided by former/current mission employees who discuss living and working conditions in the field environment, describing as closely as possible the actual details of daily life in the mission	Current/Formers Employees
Security Briefings	Intelligence information and analysis are used to familiarize employees with the particular security environment concerns	Customer Representatives; Certified Security Training Professionals
Threat Recognition and Operational Security Awareness	Instruction in recognizing potential threats, and the importance of operational security as it relates to individual assignments, mission environment, and travel overseas	Certified Security Training Instructors
Defensive Tactics	Instruction in personal defense measures, including the use of physical force, arrest control techniques, impact weapons, chemical agents, and lethal weapons	Certified Training Instructors

Security Tactics	Instruction in the application of tactical techniques for the purpose of preventing or deterring attacks in the conduct of daily operations, as well as responding to emergency requirements	Certified Training Instructors
Use of Force Continuum and Rules of Engagement	Instruction in the use and application of force or chemical agents as preventive and/or reactive methods to avoid, mitigate and eliminate threats; Rules of Engagement (ROE) proffered by the U.S. Chief of Mission, or primary U.S. Government Official in the mission area; employees are briefed on the specifics of the ROE, and receive this policy in hard copy for reference	Customer Representative; Certified Training Instructors
Crowd Control	Training for responding to situations of large scale civil disturbance, crowd management, and mob psychology	Certified Training Instructors
Medical	Basic instruction in first aid, first responder, chemical and biological attack, and medical intervention related to security operations	Certified Training Instructors
Vehicle Dynamics	Driver's training in the use and operation of vehicles specific to individual assignments and application; this instruction may include high-speed and vehicle security operations	Certified Training Instructors
Motorcade Operations	Vehicle training in how to conduct motorcade, convoy, and escort operations	Certified Training Instructors
Firearms	Familiarization, maintenance, safety, security, gun handling and marksmanship skills; training is provided for a variety of pistols, rifles, and shotguns; includes target discrimination and tactical shooting	Certified Training Instructors
Physical Fitness/Wellness	Instruction regarding healthy lifestyles and fitness considerations adapted to the mission environment	Fitness/Wellness Counselors; Certified Training Instructors
Conflict Resolution	Instruction providing employees with alternative methods for resolving conflicts, dealing with non-responsive or unwilling interaction to uncooperative or abusive tendencies	U.S. Institute Of Peace
Terrorist Operations	Training regarding terrorist operations, including identification of threats, preventive measures, and mitigation strategies; includes IED, VBIED threats and countermeasures	Certified Training Instructors
Surveillance/Counter-Surveillance	Techniques and operational considerations related to surveillance and counter surveillance as intelligence gathering and proactive measures to prevent/reduce potential targeting by hostile elements/insurgents	Certified Training Instructors

Training is designed to reflect the specific field assignment, taking into consideration the security environment where the individual(s) will be deployed. Preliminary intelligence information about the mission area is considered when developing course curriculum. Intelligence is collected from open source data, U.S. Department of State security recommendations, U.S. Department of Defense security bulletins/postings, and advance reconnaissance threat assessments by security professionals in the actual area of operation. Curriculum is developed by qualified/certified trainers who design programs of instruction based on industry accepted/mandated criteria, and administer instruction using certified training methods. Each training course includes individual evaluations to ensure that learning to minimum acceptable standards is accomplished. Evaluations are conducted by observation, written assessments, and practical application. Training is tailored and adapted both to the specific assignment and threat environment.

Organizational Structure of Training Program

The balance of all DynCorp International law enforcement and security-related training is conducted by Crucible, our subcontractor. Organizationally, DynCorp International employs a Training Manager to act as the liaison between DynCorp International, Crucible, and DynCorp International's customers for all training requirements. DynCorp International also employs a staff to provide all administrative support related to the movement, enrollment, and logistics support for all training candidates. A qualified Director of Training is assigned primary responsibility for the administration of all training programs, which includes but is not limited to, the following:

- ◆ Planning, scheduling, and conducting training
- ◆ Supervising instructors and instruction
- ◆ Performing ongoing critical analysis of the quality of training
- ◆ Establishing performance metrics based on industry standards
- ◆ Conducting performance evaluations of students and instructors
- ◆ Functioning as a liaison with DynCorp International and its customer(s)

- ◆ Providing status reports on the conduct of training
- ◆ Ensuring customer satisfaction

The Director of Training ensures that sufficient resources are available to accomplish each training session. He will also ensure that all training performance standards are satisfied. The Director of Training works side by side with the DynCorp International Training Manager. The Director of Training supervises a section of subject matter expert (SME) instructors dedicated to the specific training session. A pool of Adjunct Instructors, who have been vetted and approved, provide an augmentation resource for training support as required.

For each training course, a program of instruction is designed and submitted for approval to the individual customer's training representative(s). For all law enforcement training, the program of instruction has been approved by the training coordinator for the Department of State's International Law Enforcement and Narcotics Bureau. All personal protective, facility security, and vehicle training has been approved by training directors from the Department of State's Diplomatic Security Training Center.

Training Analysis

Generally, training requirements are specifically identified in customer solicitation documents. When a solicitation is received, it is analyzed by DynCorp International's Training Manager and the Director of Training for the type and number of personnel required to administer the course. A training plan and schedule are developed and a program of instruction is defined. Once a plan has been adopted, any modification to support requirements that may exist or adjustments that must be made to accommodate any variation are identified and plans made to satisfy the changes.

Training Plans

Law enforcement and security-related training is provided by labor category specification, or position assignment. As part of the training curriculum, updated informational briefings are delivered and realistic scenarios with stress inducing drills are conducted for tactical training that produce combat-like distraction and confusion. All law enforcement candidates receive training in the following general subjects:

Law Enforcement Course—This course provides 80 hours of training in the following areas:

- ◆ Program Objectives
- ◆ Cultural Awareness
- ◆ Political and Historical Perspectives
- ◆ Living in the Region
- ◆ Security Briefings
- ◆ Threat Recognition and Operational Security
- ◆ Defensive Tactics
- ◆ Security Tactics
- ◆ Use of Force Continuum and Rules of Engagement
- ◆ Crowd Control
- ◆ Medical
- ◆ Vehicle Dynamics
- ◆ Motorcade Operations
- ◆ Firearms
- ◆ Physical Fitness/Wellness
- ◆ Conflict Resolution

In addition to the foregoing, candidates receive 20 hours of administrative processing prior to the commencement of training. Evaluations are conducted during that time to determine a candidate's suitability for deployment and compatibility with the destination

mission environment. A job function test is conducted in connection with medical screening to determine individual health and compatibility with the rigors of mission responsibilities, as well as the capability of existing in-country medical support to maintain treatment for individual medical conditions. This test requires candidates to perform job related skills that test their physical abilities in the performance of job related duties.

All candidates, whether assigned to a law enforcement mission or security assignment, receive a psychological profile, providing an assessment of mental health and stability as they relate to an assignment in a high-threat environment. Oral board evaluations are also conducted by DynCorp International Managers, customer representatives, and law enforcement or security advisors.

Personal Protective Security Course—This course is certified by the U.S. Department of State's Diplomatic Security Training Center (DSTC) as a High-Threat Protection course, and provides 164 hours of intense security training. The course is designed to provide instruction in a progressive manner, using new skills acquired each day to incrementally build competence in subsequent aspects of protective service operations on successive training days. Students are taught the following subjects:

- ◆ Introduction to the Protective Details
- ◆ Organization of a Detail
- ◆ Protective Service (PRS) Formations
- ◆ Arrivals & Departures (motorcade/foot movements)
- ◆ Intel Brief
- ◆ Attacks on Principals
 - Walking formations
 - Fence lines
 - Arrivals & Departures
- ◆ Running the Fenders

- ◆ Emergency Evacuation
- ◆ IED's/Vehicle Search
- ◆ Terrorist Operations
- ◆ Advances
 - Contingency Planning
 - Site Surveys
- ◆ Vehicle Dynamics I (basic operation)
- ◆ Vehicle Dynamics II (high speed operations)
- ◆ Vehicle Dynamics III (high speed evasion)
- ◆ Technical Driving
- ◆ Backing
 - Fundamental Skills
 - Incapacitated Driver
- ◆ Right Front Seat Driving
 - Incapacitated Driver
- ◆ Night Driving
- ◆ Precision Immobilization Technique (PIT)
- ◆ Barricade Breaching
- ◆ Street Line
- ◆ Motorcade Operations
- ◆ Motorcade Immediate Action Drills
- ◆ Fence Line Crowd Movement
- ◆ Non-lethal PRS Situations
- ◆ Foot Movement
- ◆ Defensive Tactics—Principles & Mindset
- ◆ Pressure Points & Striking Areas
- ◆ Weapons Disarming Techniques
 - Hand gun
 - Long guns
- ◆ Non-lethal PRS Situations
- ◆ Front & Rear Takedowns

- ◆ Handgun Retention
- ◆ Long Gun Retention
- ◆ ASP Familiarization, Carry & Draws
- ◆ Baton Retention
- ◆ Baton Strikes
- ◆ Introduction to Oleoresinacapsicum (OC), Delivery Systems & Effects
- ◆ OC Procedures
- ◆ OC Decontamination

Motorcade Attack Scenarios

- ◆ Vehicle
 - IED
 - Road Block
 - Ambush
- ◆ Pedestrian
 - Pre-positioned
 - Random
 - Opportunistic

Firearms (Pistol, Rifle, Medium/Long Machine Guns)

- ◆ Safety Brief
- ◆ Operation/Disassembly/Assembly M240B/M249
- ◆ Zero Weapons/Familiarization Fire/Practice Qualification
- ◆ Medium Machine Gun/Light Machine Gun Qualification Course M240B/M249
- ◆ Post-Qualification Drills (Combat Course)
- ◆ Deadly Force/Safety Brief
- ◆ M-4 Loading, Unloading & Failure/Stoppage
- ◆ M-4 Zeroing & Drills
- ◆ M-4 Firing Drills

- ◆ Qualification Course
- ◆ M-4 'Post-Qual' Firing Drills
- ◆ G-19 Loading, Unloading & Failure/Stoppage
- ◆ G-19 Firing Drills (Belt Holster)
- ◆ Weapons Maintenance
- ◆ G-19 Combat Reload & Immediate Action
- ◆ G-19 Firing Drills (Belt Holster)
- ◆ Qualification Course (Belt Holster)
- ◆ G-19 'Post-Qual' Firing Drills (Belt Holster)
- ◆ G-19 Firing Drills (Drop Holster)
- ◆ Qualification Course (Drop Holster)
- ◆ G-19 'Post-Qual' Firing Drills (Drop Holster)
- ◆ Shotgun Loading, Unloading & Stoppages
- ◆ Shotgun Firing Drills
- ◆ Qualification Course
- ◆ Weapons Maintenance
- ◆ Close Quarter Battle (CQB) Principles & Survival
- ◆ Tactical Procedures at Initial Entry Point
- ◆ Basic Procedures for Clearing & Securing a Room
- ◆ Tactical Procedures for Clearing Danger Areas
- ◆ 4 Man CQB
- ◆ Chem-Bio
- ◆ First Responder
- ◆ Attacks On Principal (AOP) Scenarios
 - Rural/Open area ambush
 - Disabled Vehicle
 - Residential (close quarter)
 - Public Event
 - Open House
- ◆ Land navigation and GPS usage
- ◆ FAV familiarization driving

- ◆ Shooting from within a moving vehicle
- ◆ M203 Grenade Launcher
- ◆ IED recognition and demonstration

For specific weapons training, students learn skills through an incremental instruction approach. First they learn nomenclature and pertinent information about the weapon system such as cyclic rate, weight, and length. Subsequently, they learn proper disassembly and assembly procedures for each weapon. Once the student has satisfactorily mastered assembly and disassembly skills based on established performance metrics, they are taught proper shooting form and how to “zero” the weapon. Training includes a variety of shooting drills to teach proper methods of traversing and manipulating elevation. A qualification course of fire is conducted after each student satisfactorily completes all pre-qualification drills. The course is designed to maximize student time manipulating the weapon so that all users of these specialized weapons will possess the necessary skills to perform adequately in stressful situations.

Training is also provided in specialized skill areas such as Dedicated Defensive Marksman, M203 Grenade Launchers, Explosive Detection Dog Teams, and Guard Force training.

For Guard Force candidates, a 120-hour local Guard Force training is designed to train Third Country and Local Nationals providing force protection at DynCorp International facilities to DSTC standards while conforming to Government policies and procedures. The course covers relevant topics such as roles and responsibilities of guard force members, deadly force policy, restraint techniques and defensive tactics, and the use of security equipment such as magnetometers. Training is administered so that new guards, as well as veterans, gain additional knowledge. Students learn prescribed manipulation and handling procedures to ensure safe weapons handling by guard force members.

WHAT DIFFICULTIES HAVE YOU, AS A PRIVATE SECURITY FIRM, ENCOUNTERED DEALING WITH THE U.S. MILITARY, DEPARTMENT OF STATE, AND/OR THE U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT IN THE BATTLEFIELD ENVIRONMENT?

Operationally, DynCorp International has encountered relatively few difficulties in coordinating its efforts with other U.S. Government agencies in the battlefield. DynCorp International has worked in cooperation with the U.S. Department of State, USAID, the U.S. military, and other military organizations such as NATO in numerous international peacekeeping missions. In the Balkans, NATO initially provided security forces and policing services throughout rural areas of Kosovo, while U.S. Police Officers provided municipal law enforcement services in all of the cities and townships of Kosovo as part of the UN Peacekeeping Mission. This was an unprecedented collaborative participation between the military and community-policing providers to establish security and stability necessary to implement the Rule of Law in Kosovo. Although still faced with significant challenges, indigenous forces have assumed responsibility for providing law enforcement services in their own communities. A similar model is now being applied to Iraqi communities emerging from a dictatorship struggling to embrace democratic style policing methods.

Iraq created an opportunity not previously encountered to work directly and simultaneously with both the U.S. Department of Defense and the U.S. Department of State in their leadership roles in reconstruction efforts in Iraq. As part of our contribution to those efforts, DynCorp International has deployed and supports more than 600 U.S. Police Officers/Mentors who are assigned training responsibility in reconstruction teams around the country. They are supported by the U.S. military within the military's organizational infrastructure in Iraq. These police officers are provided movement control and support in concert with the military and are afforded the requisite protections in the course of their assigned duties.

We have experienced few difficulties interfacing and coordinating with the U.S. military and other Government agencies in the context of providing security services. Any issues we may have faced have been minor in nature and can be linked to the natural

challenges associated with the initiation of a new mission or deployment, particularly in regions where activity is still in its relatively early stages of development.

The majority of challenges we have faced have largely been mitigated through pre-mission briefs, shared SOP's and regular, consistent communication. A Personal Security Detail's basic approach is to ensure security for its protectee(s) by avoiding danger, hostile elements, and attack at all costs, as opposed to "moving into and securing an area" where hostile activity may have been detected.

As a Private Contractor providing security services, we conduct business based on direction from our customer(s). As mentioned previously, there are naturally occurring challenges for all stakeholders in early deployment stages that contribute to the difficulty of conducting mission operations. However, without exception DynCorp International personnel have been able to work with Government representatives to resolve concerns and develop working relationships that are productive and professional. Generally, issues are resolved through training, regular communication, and a better understanding of the mission by customers and employees alike.

In general, USAID mission personnel have been averse to including security services in their working environments, usually because they felt it was counterproductive to their objectives, and hampered or hindered their effectiveness and efficiency. This approach led to differences of opinion on the proper security posture/measures defined by security professionals and applied to USAID operations. Increased violence and targeted attacks, including attacks against USAID mission personnel, produced recognition of the need for security services. That realization, coupled with pre-mission briefs and continual education of both USAID personnel and PSD teams alike, has also mitigated difficulties in working with and coordinating security services with USAID. Coordination and interface with other private contractors providing security services has been one of mutual benefit and understanding. Employees of differing organizations understand the working environment, which underscores the need for and highlights the benefits of cooperation and collaboration between private security personnel.

As the primary intelligence collection and analysis office in Iraq, DOD contractor Aegis Corporation oversees the Multinational Security Transition Command-Iraq (MNSTC-I) Regional Operations Centers (ROC) which disseminates intelligence information to all contractors and DOD personnel throughout Iraq. DynCorp International receives regular contact from the ROCs and combines information received from the MNSTC-I with its own collected intelligence to provide personnel with the latest intelligence information.

In addition to cooperative information exchanges with the ROC, DynCorp International also uses Crucible Security Management Center (SMC) teams to collect intelligence information which is shared internally and with DoS and the Civilian Police Assistance Training Team (CPATT). DynCorp International has also established a Tactical Operations Center (TOC) in the Baghdad Hotel. That intelligence center receives a daily event summary from the DoS Regional Security Office (RSO) on incidents or security matters of concern.

The DynCorp International Deputy Program Manager for the Civilian Police program has regular meetings with CPATT officials and attends weekly meetings with the 49th MP Brigade security personnel to discuss security related issues or concerns regarding the Police Training Teams where our International Police Liaison Officers (IPLOs) are imbedded.

Movement of PSD teams is coordinated with the TOC located in Baghdad, and with the 49th MP Brigade units to arrange for IPLO movements in Military Police convoys.

IPLOs Imbedded in Military Units—DynCorp International currently has over 650 IPLOs deployed throughout Iraq. They are assigned to CPATT specialized units (50-60 IPLOs) and the six Multinational Division (MNDs) in Regions 1-6 (Baghdad, Tikrit, Mosul, Ramadi, Babylon and Basrah. The majority of the IPLOs assigned to the MNDs are imbedded in the Police Training Teams (PTTs), which are subordinate to the 49th Military Police Brigade. IPLOs live and work with these PTTs in over 30 FOBs/Camps. All tactical information received through these imbedded teams is passed on to the DynCorp International TOC and the Crucible SMC in the Baghdad Hotel.

Protective Security Services/Personal Security Details

Coordination of security movements is conducted through a Tactical Security Team (TST). In addition to personnel directly assigned to the TST, an integrated Military Police (MP) unit is attached to work closely with the TST for coordination of operations. The assigned TST is also part of PSD planning processes. This is most often done by the PSD and TST Tactical Commanders jointly planning the routes. Mission information is also provided to the military unit assigned to the TST for the purpose of coordinating with all security providers as part of the planning process. That information is then relayed to the military TOC, where it is also cleared through Military Intelligence units. Any issues raised by the military are discussed and considered part of a mission operation “GO/NO-GO” decision process. If the determination is made to conduct a mission, the integrated military unit accompanies the TST on the movement. The military unit and TST team train together in all phases of operations, including conducting recurring firearms training together. The military unit is an imbedded part of the team, not a rotating unit.

Mission Operation Coordination and Decision Process

- ◆ Request for movement received in the TOC (minimum 48 hours lead time)
- ◆ Request is reviewed by OPS and Intel (including TST and military units)
- ◆ Request is then discussed with the Department of State High-Threat OPS Diplomatic Security Agent and decision is made on GO/NO GO
- ◆ If the request is a NO-GO, client is advised
- ◆ If the request is a GO, it is assigned to a PSD team and TST support team
- ◆ The PSD team then plans the mission and submits the paperwork to the TOC (24 hours out)
- ◆ The mission packet is submitted to Intel for route analysis and venue threat analysis update

- ◆ If there are no issues that would cause the mission to be cancelled, then the movement is executed. Cancellation may occur at any time prior to departure due to intel information, which is constantly monitored

Afghanistan

DynCorp International Tactical Operations Centers (TOC) are located in Kabul at the Afghanistan Police Program (APP), at each of the seven Regional Training Centers (RTC), the Afghanistan Eradication Force (AEF) headquarters, the AEF Forward Operating Bases (FOB) during eradication operations, and the Wet Lease Program headquarters when flight operations are being conducted. Additionally, Crucible, a DI subcontractor, operates a Security Management Center (SMC) that provides support operations through each of the TOCs.

The SMC provides daily updates to all CIVPOL Task Orders in Afghanistan. The products are emailed at least nightly and as required to each program. Products include route assessments, daily incident reports, and intelligence information for all Provinces in Afghanistan. Sources of information are from the DOD, the Regional Security Office (RSO), the Afghanistan National Police, and other sources. Program security managers distribute SMC products to their subordinate headquarters which in turn provide information to personnel through DI TOCs.

In addition to SMC information, the Afghanistan NGO Safety Office provides information on a weekly and monthly basis to all programs.

Physical—Movements from site locations are controlled by Deputy Program Managers and Regional Commanders through the TOCs. Poppy Elimination Program (PEP) teams coordinate movements with Provincial Reconstruction Teams (PRTs), RTCs, and the APP TOC in the Kabul headquarters. Movements are tracked by Tactical Operation Centers having responsibility for each corresponding region.

Communications—Security Managers coordinate with the International Security Assistance Force (ISAF), the Combined Security Transition Command-Afghanistan (CSTC-A), PRTs, FOBs and the Afghanistan National Police to obtain information on procedures for quick reaction forces (QRFs) if required. In the event of a serious incident requiring assistance over and above DynCorp International capabilities, the organization possessing the capability to provide assistance, corresponding to each regional area or location, is contacted and coordination takes place to provide assistance (medical, security etc.).

Flight Following—Aircraft mission information is provided the day prior to missions to CSTC-A and Afghanistan Ministry of Interior (Tower) to track movements. Each aircraft utilizes redundant methods to provide tracking information and communicate with the air operations TOC, civil aviation authorities, and DOD aviation facilities in the region.

Reporting—If required, Serious Incident Reports (SIRs) are immediately created by DI TOCs and sent to INL Kabul for distribution.

Conclusion

DynCorp International has lost over two-dozen employees to hostile activity in the fight for freedom in Iraq and Afghanistan along with other groups, agencies, and organizations that operate in the same environments. All losses on the battlefield exact a high price from everyone involved in the effort. We believe the contribution private companies can and have made add a significantly important dimension of support and assistance in augmenting the U.S. Government's capacity to implement foreign policy objectives that might not otherwise be considered. We are confident that continued partnership between the U.S. Government and private companies will further develop the operational expertise and infrastructure organizations that interact and co-exist in this environment. As these relationships evolve and mature, greater successes and enhanced capacity to respond to critical requirements on current and future battlefields will be the result.

We wish to express our deep appreciation to the Committee Chairman, Congressman Shays, and other distinguished members of this House Subcommittee for the opportunity to participate in this important process.

Thank you.

I. United States Statutes

The Anti-Torture Statute (18 U.S.C. § 2340A)

U.S. War Crimes Act of 1996 (18 U.S.C. § 2441)

Military Extraterritorial Jurisdiction Act ("MEJA") (18 U.S.C. §§ 3261 – 3267) Victims of Trafficking and Violence Protection Act of 2000, Public Law 106-386, and codified at 22 U.S.C. § 7102

Gun Control Act (18 U.S.C. § 921 et seq.)

Gun Control Act by the terms of DFAR § 225.7040, General Order No. 1 – United States Central Command, as amended 9 August 2003, General Order No. 1 – Multi-National Corps – Iraq, dated 12 February 2005, General Order No. 1 – Combined/Joint Task Force (CJTF) 76, dated 15 May 2004, and DoD Instruction No. 3020.41 (October 2005).

Arms Export Control Act (22 U.S.C. § 2778) and Export Administration Regulations
Defense Base Act (42 U.S.C. §§ 1651-1654) ("DBA")

Inspector General Act of 1978, (5 U.S.C. Appx § 1 et seq.), as amended

II. United States Regulations/Policy Statements

General Order No. 1 – United States Central Command, as amended 9 August 2003;
General Order No. 1 – Multi-National Corps – Iraq, dated 12 February 2005; General Order No. 1 – Combined/Joint Task Force (CJTF) 76, dated 15 May 2004.

- FAR § 28.309(a) – Workers' Compensation Insurance (DBA)
- FAR § 28.309(b) – Workers' Compensation and War Hazard Insurance Overseas
- FAR § 51.107 – Government Supply Sources
- DFAR § 252.225-7040 -- Contractors Supporting a Force Deployed for Contingency, Humanitarian, Peacekeeping, or Combat Operations (June 2005)
- DFAR § 228.311-1 – Insurance – Liability to Third Persons
- DFAR § 251.107 – Ordering from Government Supply Sources

- DFAR § 228.370(a) – Reimbursement for War-Hazard Losses
- DFAR § 228.370(d) – Capture and Detention
- DFAR § 225.7403-2 – Antiterrorism/Force Protection for Defense Base Contractors Outside the United States

III. **International Legal Controls**

Hague Convention IV:

- Main prohibitions in Articles 23, 25, 27 and 28 of the Annex, forbidding the following:
 - employ poison or poisoned weapons;
 - kill/wound treacherous individuals belonging to the hostile nation or army; or an enemy who, having laid down his arms, or having no means of defense, has surrendered;
 - employ arms, projectiles, or material calculated to cause unnecessary suffering;
 - make improper use of a flag of truce, of the national flag, or of the military insignia and the uniform of the enemy, as well as the distinctive badges of the Geneva Convention;
 - destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war;
 - declare abolished, suspended, or inadmissible in a court of law the rights and actions of nations of the hostile party; or
 - destroy buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.

The Geneva Convention:

- safeguards “protected persons,” typically detained civilians.
- Article 3 prohibits the following:
 - Violence to life and person, in particular, murder of all kinds, mutilation, cruel treatment and torture;
 - The taking of hostages;
 - Outrages upon personal dignity, in particular, humiliating and degrading treatment; or
 - Executions without a trial.
- Article 13 requires humane treatment of detainees.
- Under Article 17, questioning permitted, but no form of “physical or mental coercion”.
- Article 27 requires that women be protected from rape and any form of indecent assault.
- Grave breaches that constitute war crimes include:
 - attacking a prisoner of war;
 - inhuman and degrading practices involving outrages upon personal dignity, based upon racial discrimination;
 - biological experiments on the wounded and sick, prisoners of war, and against civilians;
 - compelling a prisoner of war to serve in the hostile power’s military forces;
 - any unlawful act which causes death or seriously endangers the health of a prisoner of war;
 - unlawful transfer, deportation or confinement of civilians, willful killing, hostage taking and torture;
 - attacking cultural objects when they are not located near a military target or used for the war effort; or
 - deprivation of the right to a fair trial.
- War crimes oblige states to prosecute the alleged perpetrators or turn them over to another state for prosecution, regardless of the nationality of

the perpetrator, the nationality of the victim or the place where the act of torture or inhuman treatment was committed.

IV. **Other International Covenants and Conventions**

- The United Nations Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Both treaties prohibit torture and other mistreatment of persons in custody in both peacetime and wartime